



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo, Acting President

Jerry Duncan
Sal Quintero
Daniel Ronquillo

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, AUGUST 27, 2002

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.fresno.gov.) THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M. ROLL CALL

Invocation by Reverend Sharon Stanley of the Fresno Inter-Denominational Refugee Ministries
Pledge of Allegiance

Proclamation of "MARGIE WRIGHT DAY" - Councilmember Quintero

Proclamation of "TRIPLE X FRATERNITY- HOST OF STATE CONVENTION IN FRESNO" - Councilmember Boyajian

Resolution of Commendation to Debbie Reyes, Chairman of the Human Relations Commission Ethnic Festival Series - Councilmember Duncan

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of July 30, 2002

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:00 A.M. Introduction of an agreement between the City of Fresno and the County of Fresno for limited funding of Traffic Safety Enforcement - Councilmember Calhoun

Action Taken:

9:15 A.M. Council discussion/action regarding City engaging in construction projects such as parking lots, median island construction, (neighborhood infrastructure projects exempted) - Council President Perea

a. Should projects be put out for bid with City allowed to bid?

Action Taken:

b. If yes, develop bid criteria working in conjunction with construction industry that provides a level field for all bidders

Action Taken:

9:45 A.M. **HEARING** to consider adoption of resolution amending the 1994 Nondisposal Facility Element - Public Utilities Dept.

a. **RESOLUTION** - Amending the City of Fresno's Nondisposal Facility Element - Public Utilities Dept.

Action Taken:

10:00 A.M. **RESOLUTION** - Authorizing acceptance of Federal Fiscal Year 2002 and 2003 grants offered by the Federal Aviation Administration (FAA) for Airport Improvement Projects (AIP) at both Fresno Yosemite International Airport and Fresno Chandler Downtown Airport including amendments thereto; and Federal Fiscal Years 2002, 2003, 2004 and 2005; and authorizing execution of documents - Airports Dept.

Action Taken:

10:05 A.M. * BILL - (For introduction) - Adding Section 8-220 to the Fresno Municipal Code prohibiting aggressive and abusive solicitations and solicitations in prohibited places - Police Department

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED
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10:30 AM#1 HEARING to consider an amendment to the text of the Fresno Municipal Code (Text Amendment No. TA-02-01) related to streamlining the rezoning process and minor clarification changes to other sections of the zoning ordinance (*Request to continue to September 24, 2002 @ 3:30 P.M.*) (Development Dept.)

Action Taken:

10:30 AM#2 HEARING to consider Plan Amendment No. A-02-009 and Rezoning Application No. R-02-17, filed by Jeffrey Roberts, on behalf of Amir R. Assemi, for 0.17 acre of property located along the west side of N. Ferger, south of E. Olive Avenue (1177 N. Ferger Avenue) (*Property located in District 3*) - Development Dept.

Action Taken:

- a. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. A-02-009, R-02-017, S-02-117

Action Taken:

- b. **RESOLUTION** - Amending the Fresno High-Roeding Community Plan

Action Taken:

- c. **BILL** - Amending the Tower District Specific Plan to change the planned land use designation of property located therein from the neighborhood commercial to the high density residential planned land use designation

Action Taken:

- d. **BILL** - Amending the Official Zone Map to rezone from C-5 zone district to the R-3/cz zone district

Action Taken:

10:45 A.M. HEARING to consider Plan Amendment No. A-02-005 and Rezoning Application No. R-02-006, filed by Margaret Jensen, 10 acres located on the northwest corner of N. West and W. Herndon Avenues (*Property located in District 2*) (*Request by applicant to continue to 2:00 pm.*)

Action Taken:

- a. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. A-02-005, R-02-006, C-02-034, V-02-011

Action Taken:

- b. **RESOLUTION** - Amending the Bullard Community Plan

Action Taken:

- c. **BILL** - Amending the Official Zone Map to rezone from C-P/EA/UGM zone district to the R-1/EA/UGM/cz and C-1/EA/UGM/cz zone districts

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

11:00 A.M. HEARING to consider a resolution of public use and necessity for acquisition of easements on two (2) properties (APN 312-101-38 and 312-430-01) for the construction of W. Floradora and N. Polk Avenues (*Property located in District 3*)

Action Taken:

- a. * **RESOLUTION** - That the public interest and necessity require acquisition of easements on Fresno County Assessor's Parcel Nos. 312-101-38 and 312-430-01 for the construction of portions of W. Floradora and N. Polk Avenues as a development requirement of UGM Tract 5051 (***Requires 5 affirmative votes***)

Action Taken:

11:30 A.M. HEARING to consider a resolution consenting to eminent domain proceeding by quasi-public entity and public use and necessity for acquisition for cemetery purposes by Belmont Memorial Park Corporation of fee title to certain real property owned by Belmont Associates, Ltd. (APN's 458-020-07; 458-020-43 and 458-020-49) and certain real property owned by Belmont Vault and Memorial Company (APN 458-020-53)

Action Taken:

- a. * **RESOLUTION** - That the public interest and necessity require acquisition by Belmont Memorial Park Corporation of Fresno County Assessor's Parcel Nos. 458-020-07; 458-020-43; 458-020-49; and 458-020-53 for cemetery purposes (***Requires 5 affirmative votes***)

Action Taken:

2:00 PM#1

CONTESTED CONSENT ITEMS

2:00 PM#2

CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, Subdivision (c)

1. **Case Name:** One potential case - Case name unspecified. Disclosure of title would jeopardize ability to effectuate service of process

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Blackstone Venture I, Blackstone Venture II, River Park Properties, River Park Properties II, River Park Properties III, River Park Properties IV, Park 41, and Bombay Corporation v. City of Fresno
2. **Case Name:** City of Fresno v. County of Fresno, LAFCO and City of Clovis
3. **Case Name:** Kevin Ham v. City of Fresno Civil Service Board, et al.
4. **Case Name:** Michael J. Rhodes, et al. v. City of Fresno, et al.

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 PM#2

CLOSED SESSION CONTINUED

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957 - Councilmember Calhoun

Title: City Attorney

Title: City Clerk

Action Taken:

D. CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6

City Negotiator(s): Andrew T. Souza, Severo Esquivel and Jorge C. Aguiniga

Employee Organization(s):

1. International Brotherhood of Electrical Workers (IBEW)

Action Taken:

2:00 PM#2

REGULAR CLOSED SESSION OF THE REDEVELOPMENT AGENCY

E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Title: Redevelopment Agency Executive Director

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO INITIATE LITIGATION - Government Code Section 54956.9, Subdivision (c)

1. **Case Name:** One potential case - Case name unspecified. Disclosure of title would jeopardize ability to effectuate service of process

Action Taken:

2:40 P.M.

Council consideration of the Historic Preservation Commissions review of the PG&E project (Orange/California office/Corporation yard reconstruction) and affirmation of the Development Department's approval of the project conditioned on a historic resource recordation survey - Council President Perea

Action Taken:

2:45 P.M.

Approve amended interim Stand Alone Tax Sharing Agreement between the City of Fresno Fresno County for annexation of certain territory known as "Copper River Ranch"

Action Taken:

3:00 P.M.

Consideration of request from Foundry Park Developers to rescind previous agreement for development contribution in the amount of \$154,845 for local match requirements to obtain grant funding for off-site street improvements - Councilmember Ronquillo

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 3:30 P.M.** Review the initial report prepared by the Interagency Task Force relating to the development of a Master Planned Community, including affordable housing and recreational facilities in the Southwest Area, Council District 3 - Councilmember Boyajian

Action Taken:

- a. Approve the related exclusive negotiating agreement between the City of Fresno and Cypress Investment Corporation

Action Taken:

- 4:00 P.M.** Accept report to Council and provide direction regarding the summary of results of sign ordinance committee meetings

Action Taken:

1. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

- A. **RESOLUTION** - Adopting a policy and procedures for stale-dated City checks (unclaimed money) - Finance Dept.

Action Taken:

- B. **RESOLUTION** - Claiming funds for uncashed checks from 1978 to 1997 - Finance Dept.

Action Taken:

- C. **RESOLUTION** - Approving the summary vacation of portions of "F", Mono and "G" Streets - Public Works Dept.

Action Taken:

- D. Authorize the Public Works Director to execute an agreement with the County of Fresno for paving streets by the City of Fresno in the Sierra Sky Park Area - Public Works Dept.

Action Taken:

- E. Approve Professional Services Agreement with Boyle Engineering Corporation for design of the Fresno Metropolitan Flood Control District (FMFCD) ponding basin "T" relocation and expansion project at Gap Drive and Airways Boulevard - Public Works Dept.

Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- F. Approve a Second Amendment to a Consultant Services Agreement with Quad Knopf, Inc., for the preparation of a historic resources evaluation and additional traffic analysis as part of a focused environmental impact report for the widening of Chestnut Avenue from Shaw Avenue to Bullard Avenue - *(Property located in District 4)* - Public Works Dept.
Action Taken:
- G. **RESOLUTION** - Approving the Final Map of Tract No. 4868 and accepting dedicated public uses therein; a 221-lot single-family residential subdivision on 61.99 acres of property located on the southwest corner of E. Teague and N. Willow Avenues *(Property located in District 6)* - Development Dept.
Action Taken:
- H. Authorize the Chief of Police to enter into a contract with the Peace Officers' Chaplaincy of Fresno County, Inc., to provide police chaplaincy services to the Fresno Police Department - Police Dept.
Action Taken:
- I. Approve the proposed spending plan for the FY 2002-03 State of California Supplemental Law Enforcement Services Funds - Police Department
Action Taken:
- J. Award a contract for power generation facility equipment installation and start-up services - General Services Dept./Public Works Dept.
Action Taken:
- K. Award a contract for construction of infrastructure for a traffic signal synchronization system - General Services Dept./Public Works Dept.
Action Taken:
- L. * **RESOLUTION** - 396th amendment to the MFS Resolution No. 80-420 relating to Airways Golf Course green fees - Airports Dept.
Action Taken:
- M. Approve the landlord consent and waiver to enter into new lender agreement for Airways Golf Course - Airports Dept.
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- N. * **RESOLUTION** - 13th amendment to AAR No. 2002-216 transferring revenues, appropriations and transfers in the amounts of \$582,000, \$238,000 and \$714,000 respectively for stadium operations from the capital projects fund to the newly created stadium enterprise fund (*Requires 5 affirmative votes*) - Finance Dept.

Action Taken:

- O. * **RESOLUTION** - 1st amendment to Salary Resolution No. 2002-219 reflecting the adoption of a Successor Labor Agreement between the City and the International Union of Operating Engineers, Stationary Engineers, Local 39 Unit (Local 39)

Action Taken:

2. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

- A. * **BILL - (For introduction)** - Amending Section 4-101 of Chapter 4 of the Fresno Municipal Code to better reflect the City's banking requirements - Finance Dept.

Action Taken:

3. **GENERAL ADMINISTRATION**

- A. Accept the annual report on the performance of Calcot, Ltd., in complying with the terms and conditions of their Project Development Agreement - Public Works Dept.

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. **RESOLUTION** - Supporting the future planning objectives relating to the Fresno Metropolitan Flood Control District - Councilmember Duncan

Action Taken:

- B. Discussion and direction regarding Police Department's role in the Parks Department - Councilmember Calhoun

Action Taken:

- C. Reconsideration to approve a Professional Services Agreement with RRM Design Group Consulting Architect/Engineers for the design of Fire Station No. 21 located at Maple and International Avenues - Council President Perea

Action Taken:

5. **CITY COUNCIL CONTINUED**

- D. Request City Manager to look into alternative financial options for low interest loans, i.e. the Infrastructure Bank or other agencies, to procure funds to finance Public Works projects - Councilmember Boyajian

Action Taken:

1. Request status report on prior Council direction regarding a full-time grant writer for the Public Works Department

Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Sept. 3 - COUNCIL VACATION
 Sept. 10 - COUNCIL VACATION
- Sept. 17 - 10:00 AM#1 **HEARING** re: vacation of Clark Street and the Clark-Diana alley between Divisadero and McKenzie; Illinois between Diana and Fresno; and all the streets and alleys between Clark and Fresno from Illinois to McKenzie - R.I. 1022-D
- Sept. 17 - 10:00 AM#2 **HEARING** re: Annexation No. 38, Community Facilities District No. 2, Tract Nos. 5007, 5011 and 5081
- Sept. 17 - 10:15 A.M. **HEARING** re: vacation of a relinquished right-of-way along the west side of Freeway 168 between San Gabriel and Rialto - R.I. 1029-D
- Sept. 17 - 10:30 A.M. **HEARING** re: consider a street name change, filed by Todd A. Hill
- Sept. 17 - 10:45 A.M. Award a contract for maintenance services at Selma Layne Neighborhood Park
- Sept. 17 - 11:00 A.M. Discussion regarding Sewer/Wastewater Joint Powers Agreements between the Cities of Fresno and Clovis, as well as related items of mutual interest such as treatment plants and capacity exchanges (30 minutes)
- Sept. 17 - 2:30 P.M. **BILL - (For introduction)** - Amending the Fresno Municipal Code by adding Article 20 to Chapter 9 relating to the maintenance and security of vacant property within the City of Fresno - Councilmember Boyajian (45 minutes)
- Sept. 24 **ROLL CALL**
- Sept. 24 - 3:30 P.M. **CONTINUED HEARING** to consider an amendment to the text of the Fresno Municipal Code (Text Amendment No. TA-02-01) related to streamlining the rezoning process and minor clarification changes to other sections of the zoning ordinance
- Sept. 24 - 4:00 P.M. **HEARING** re: Rezone Appl. No. R-02-018, filed by Leland E. Scott
- Sept. 24 - 5:30 P.M. Presentation on General Plan
- Oct. 15 - **NO MEETING**
- Oct. 22 - 10:00 A.M. **WORKSHOP** on Fresno's water supply challenges - Public Utilities Dept. (30 minutes)
- Oct. 29 - 10:00 A.M. Presentation of Employee Service Awards (*Reception immediately following - 2nd floor foyer*)

